

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

ISHANTA SHOALS,

Plaintiff,

v.

CITY OF MORRIS, OKLAHOMA,

Defendant.

Case No. CIV-22-266-Raw-GLJ

ORDER

Before the court is the Report and Recommendation (hereinafter “R&R”) entered by Magistrate Judge Jackson [Docket No. 51], recommending that the Defendant’s motion for summary judgment [Docket No. 34]^{*} be granted and the case be dismissed. Plaintiff filed an objection to the R&R [Docket No. 52], and the Defendant filed a response to Plaintiff’s objection. [Docket No. 53]. The standard of review is *de novo*. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3).

Plaintiff argues that the R&R erred in finding that: (1) she failed to exhaust her Title VII claims related to termination; (2) she did not put forth evidence supporting an inference to sex, gender, or race discrimination; (3) the Defendant had legitimate, non-discriminatory reasons for failing to promote her; (4) she offered no direct evidence of retaliation; and (5) she did not present a triable issue as to the Defendant’s motive regarding a hostile work environment.

As to the Magistrate Judge’s finding that she failed to exhaust her administrative remedies with respect to her termination, Plaintiff simply incorporates her previous argument

* Plaintiff’s response to the summary judgment motion is at Docket No. 42; the Defendant’s reply is at Docket No. 47.

stating that her “charge of discrimination was perfected after she was terminated” without including any supporting evidence. Likewise, as to Plaintiff’s other four objections, she reiterates the brief arguments made in her response to the summary judgment motion. Defendant argues that the R&R is correct and should be adopted by this court. The court agrees.

After a *de novo* review, the court finds that the R&R [Docket No. 51] is well-supported by the evidence and the prevailing legal authority. The record in this case shows that there is no genuine dispute as to any material fact and the Defendant is entitled to judgment as a matter of law. Accordingly, the R&R is hereby affirmed and adopted as this court’s Findings and Order. The motion for summary judgment [Docket No. 34] is hereby GRANTED, and this case is DISMISSED.

IT IS SO ORDERED this 27th day of March, 2024.



**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**